

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH,

Plaintiff,

v.

KATHY COOLEY, et al.,

Defendants.

No. 1:25-cv-00421-KES-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION WITHOUT PREJUDICE

(Doc. 4)

Plaintiff Candace Smith, proceeding pro se and in forma pauperis, filed this civil action on April 10, 2025. Docs. 1, 3. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 17, 2025, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed without prejudice and without leave to amend based on plaintiff's failure to comply with Rule 8 of the Federal Rules of Civil Procedure, and the Court's lack of subject-matter jurisdiction. Doc. 4. Specifically, the findings and recommendations found that the plaintiff set forth no facts in support of her allegations within her complaint and had not pled facts to establish this Court's jurisdiction. *Id.* at 3–4. Additionally, because of the plaintiff's lengthy history of filing deficient lawsuits despite being provided the benefit of screening orders setting forth the applicable law and pleading standards, and because it was unlikely that plaintiff could cure the deficiencies by submitting an amended complaint, the findings and

1 recommendations recommended that dismissal be without leave to amend. *Id.* at 5-6. The
2 findings and recommendations contained notice that any objections thereto were to be filed within
3 thirty days after service. *Id.* at 6. No objections were filed and the time to do so has passed.

4 In accordance with 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of
5 this case. Having carefully reviewed the file, the Court concludes that the findings and
6 recommendations are supported by the record and proper analysis.

7 Accordingly:

- 8 1. The findings and recommendations issued on April 17, 2025, Doc. 4, are adopted
9 in full;
- 10 2. The complaint is dismissed without leave to amend and the action is dismissed
11 without prejudice; and
- 12 3. The Clerk of the Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: June 2, 2025


UNITED STATES DISTRICT JUDGE